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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Group Art Unit: 2814

Hirokazu TADA et al.

Application No.: 10/589,359

Examiner: T. Le

Filed: August 14, 2006

Docket No.: 128426

For: LIGHT-EMITTING TRANSISTOR

NOTIFICATION OF ERRONEOUS FILING OF  
ASSERTION OF SMALL ENTITY STATUS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In the above identified application, an Assertion of Small Entity Status along with an Amendment, Amendment Transmittal and Petition for Extension of Time was filed on January 25, 2008. It has come to our attention that Applicants are not entitled to small entity status. The Assertion of Small Entity Status was erroneously filed and it is therefore rescinded.

Please note that all previous fees prior to the January 25, 2008 Amendment were paid at the large entity rate. Regarding our January 25 Amendment, we attach our Check No. 202681 in the amount of \$270.00 for the difference in entity size for payment of two extra independent claims (additional \$210) and a one month extension of time (additional \$60). We believe that the attached check covers all charges for fees in this matter at the large entity rate. However, if any other charges are necessary, the Commissioner is hereby authorized to charge any additional fee or credit any overpayment associated with this communication to

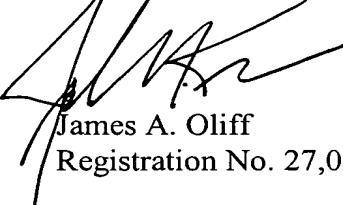
03/03/2008 GFREY1 00000041 10589359

01 FC:2614  
02 FC:2251

210.00 OP  
60.00 OP

Deposit Account No. 15-0461. If you have any questions regarding this matter, please contact the undersigned.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

John S. Kern  
Registration No. 42,719

JAO:AXS/mcp

Date: February 28, 2008

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